

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROCHELLE TARLOWE, and SETH JONAS, collectively
and individually, and on behalf of ZACHARY JONAS, a
minor,

**NOTICE OF
CROSS- MOTION**

Plaintiffs, 07 CV 7936 (GEL) (JCF)

-against-

NEW YORK CITY BOARD OF EDUCATION, d.b.a.
NEW YORK CITY DEPARTMENT OF EDUCATION,
and JOEL KLEIN, in his official capacity as Chancellor of
the New York City School Districts,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Statement of Undisputed Facts pursuant to Rule 56.1 of the Local Rules of this Court, dated February 1, 2008, the accompanying memorandum of law in support of defendants' cross-motion for summary judgment dated February 1, 2008, the administrative record submitted to the Court by the New York State Education Department, and upon all prior pleadings and proceedings, defendants will cross-move this Court, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, on a date to be determined by the Court, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure awarding them summary judgment, and granting them such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the briefing schedule entered in this matter on January 24, 2008, plaintiffs' opposition and reply papers, if any, shall be served no later than February 22, 2008. Defendants' reply papers, if any, shall be served no later than March 14, 2008.

Dated: February 1, 2008
New York, New York

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By: _____/s_____
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